

FORGET THINGS  
THAT ARE BEHIND

And Make Kentucky Great

Justice Harlan Speaks To

New York Kentuckians

A WORD TO THE YOUNG MEN.

New York, Dec. 23.—[Special.]—Justice John Marshall Harlan, of the Su-

pletion on December 10 of thirty years of service on the Supreme bench, and among those who paid him honor by letter and telegram.

presence, were President Roosevelt, Vice President Fairbanks, Speaker Cannon, Attorney General Bonaparte

This is the fifth dinner that the Kentuckians have held since they joined the noble band of State dinner orators.

Other affairs of the kind have passed off with enthusiastic mention of blue-grass and beautiful women, but never have the Kentuckians evidenced their

"Young man," said an immaculate Colonel, in the ante-room, as he embraced one of the beauties.

praised one of the reporters in a fatherly fashion, "you will notice, sir, that our decorations this evening consist of American Beauties. Some are on the

The Colonel was not alone in his enthusiasm. Nearly every speaker hoped

low to the crowded boxes before he raised his in a glass in a toast, and all of the applause of the evening was softened by the patter of gloved hands.

Distinguished Guests.

With Mr. Carlisle at the long, round table that was raised at one end of the banquet hall sat a distinguished

C. Spooner, Chief Justice Pelee, of the District of Columbia; J. M. Dickinson, president of the American Bar Association; former Attorney General John

W. Griggs, of New Jersey; ex-Chief Justice Lewis, of Virginia; former Gov. Thomas T. Crittenden, of Mis-

Worthington, of Washington; Judge B. M. Cullen, of the New York Court of Appeals. Others of the guests who were present were Col. John C. Breckenridge,

present were Col. John C. Breckenridge, George E. Ide, Judge C. H. Duell, George C. Holt, Judge Thomas F. Donnelly, Judge Charles M. Hough, of the

Justice Harlan Sings.

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At the right of Toastmaster Carlisle  
and Justice Harlan, stiff and straight.

Justice Harlan, stiff and straight in his old-fashioned wide-flare collar and heavy black tie. Justice Harlan seemed to catch the spirit of the even-

The reading of the telegrams caused a diversion just between the black coffee and the lighting of the cigarettes. President Roosevelt sent one simply

President Roosevelt sent one simply impet, to the effect that all he could do was to express his heartiest good wishes to the diners "thru" Mr. Dun-

that admirable public servant, Justice Harlan, who in the army and on the bench, in public life and in private life has stood for what is highest in Ameri-

Speaker Joe telegraphed that Justice Leelan had nobly lived up to the tradi-

uckian and a great American. Gov. Hughes, whose illness had prevented him from appearing at the last minute, said that in Mr. Harlan Kentucky "has

said that in Mr. Harlan Kentucky "has made a priceless gift to the nation." As each fresh encomium was read the listeners cheered the modest recipient.

Introduced By Mr. Carlisle.

When Mr. Carlisle rose to introduce the guest of the evening he went 'way back in history and traced the trail of

thirty, he said, who founded the city of Harrodsburg before the Declaration of Independence was signed. That established the family of Harlan in Ken-

lished the family of Harlan in Kentucky, and the State has been proud of the name since. After a lengthy review of the matter that has come be-

ore the Supreme Court during Justice Harlan's incumbency. Mr. Carlisle saved the Justice to his feet. Mrs. Harlan was among those in the

Mrs. Harlan was among those in the boxes. When introducing Justice Harlan, Mr. Carlisle referred to the presence of his wife and said that Justice

and Mrs. Harlan had recently celebrated the fifty-second anniversary of







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### IN WRONG PLACE

Callaway Sebastian's Heart  
Missed By Bullet.

ENEMY'S AIM TRUE, BUT VIC-  
TIM SURVIVES.

REPUBLICANS FILE AMENDED  
PETITIONS.

GAVE NAMES AND ADDRESSES.

Lexington, Ky., Dec. 23.—[Special.]—

If Callaway Sebastian's heart had been

in the right place he might have been

a better man in some respects, but he

would not have been alive to return to

his home in Wolfe county as he did to-

day after nearly two months' stay in

the Good Samaritan Hospital here. Se-

bastian was shot in the breast during a

fight on election day at Lee City, Wolfe

county. His antagonists had taken care

to aim at the spot where Sebastian's

heart ought to have been and his bul-

let went true to the mark, but, to the

disgust of the mountain marksmen, Se-

bastian was not killed and his assailant

was unable to account for it. Sebastian

was, however, brought to the Good

Samaritan Hospital here and the ex-

amination of the surgeons revealed the

mystery and showed that no discred-

it should be cast upon the man who re-

turned to-day to Lexington none the

worse for his exciting experience.

His cousin, W. L. Hammonds, who

was accidentally wounded by the dis-

charge of his own pistol just after the

shooting of Sebastian, is now convales-

cent at the hospital, the danger of

blood-poisoning, which was at first

feared, having been averted.

File Amended Petition.

The Republicans late this afternoon

filed the amended petitions in their

petition for the removal of the

case to the federal court.

The amended petition was

filed by the committee on

the removal of the case.

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## COMES BACK TO TESTIFY

William J. Davidson Arrives  
At Georgetown.

Away From Kentucky Since  
Goebel Murder.

Stories Damaging To You-  
sey Told By Witnesses.

TAYLOR'S DEPOSITION READ.

Georgetown, Ky., Dec. 23.—[Special.]—William J. Davidson, former Superintendent of Public Instruction of Kentucky and Assistant Secretary of State under Caleb Powers for the brief time he held office in 1905, the man whom Henry Youtsey, the convict says consented to give him access to the private office of the Secretary of State when he and Dr. W. R. Johnson and "Tallow Dick" Combs were seeking a location from which to assassinate William Goebel, arrived in Georgetown today for the purpose of going on the witness stand and making a denial of that charge.

Prof. Davidson has been away from the State of Kentucky for most of the time since the killing of Goebel. He has been located at several points in the United States, but for some years past has been making his home at Indianapolis, Ind., the home of W. S. Taylor.

The appearance of Prof. Davidson on the stand as a witness for Caleb Powers will be the first time he has been on the stand in any of the Goebel murder trials. In August, 1903, at the time of the third trial of Caleb Powers, he sent here from Indiana a deposition making general and specific denial of the charges made by the convict Youtsey, and also of conversations testified to by W. H. Cullen, Wharton Golden and others as having been had with him. This deposition he will, of course, adhere to when he goes on the stand for this trial.

Denies Everything.

In the deposition Prof. Davidson denied that he ever gave a key to Youtsey or ever let him into the private office of Caleb Powers. He denied that Youtsey ever to his knowledge took Johnson, Combs, Hockersmith or anyone else into that office for the purpose of locating a spot from which to kill Goebel. He stated that on January 30, the day on which Goebel was shot, the door to the private office was locked and bolted from the inside by Powers; that Davidson ascertained this by trying with a key of the door to open it; that Henry Youtsey did not, as he stated from the witness stand, come into the reception-room that morning and go into the private office, and also that after the shot was fired he returned to the reception-room and from the outside hallway leading into the office, and that both were locked.

Taylor Rumor Proves False.

The appearance here of Prof. Davidson gave rise to a rumor that W. S. Taylor would shortly arrive in Georgetown for the purpose of surrendering himself to the court and to go on the witness stand for Caleb Powers. The reading today in the court of a deposition given several years ago by Taylor, which was read by Taylor himself, refuted this rumor as to his coming. Prof. Davidson said to-night that he had no information as to Prof. Taylor's intentions and could not speak for him in any way. He said he had not seen the former Governor in three months past.

Ten defense witnesses went upon the stand in the Scott Circuit Court today in the Powers case, and in addition read their testimony. The jury heard much of a deposition given by Taylor, the fugitive, in Indianapolis, Ind., in July, 1903, and which deposition was introduced as evidence in this trial by the defense. The defense attorneys were required to make affidavit that Taylor is still out of Kentucky before the deposition was competent to be read. Jim Howard, the convict, was to have testified for the defense at today's session of court, but W. M. Smith, who had prepared to interrogate him for the side calling him, was indisposed and unable to appear in court. Howard will be returned here to-morrow from the State penitentiary at Frankfort, and his testimony will very likely be the feature of the day in court.

Possessor of Rifle Testifies.

The most interesting witnesses on the stand to-day were Albert Helton, the man who has held the rifle with which Goebel was killed ever since the killing, and Enos Johnson, who swears that he saw Henry E. Youtsey hand the gun to Helton after he, Johnson, had declined to accept it. Both men are from Harlan county. Helton did not know the man who placed the weapon in his hand within a few minutes after the shot was fired, but Johnson said that he knew Youtsey was the man, having met him both the day before and having recognized him upon seeing him in attendance upon this trial.

Hubbard Recalled.

The witness, J. N. Hubbard, of Carter county, who on Saturday told of managing elevators by Youtsey before the killing, was recalled today by the Commonwealth to produce in court the letters which he said had been written in 1900 to Caleb Powers and to Messrs. Owens, Sims and Morton, attorneys for the defense, but was unable to file the letters. He did, however, file a letter which he said he had written to Powers in 1905, apprising him of the information in his possession.

The deposition given by W. S. Tay-

lor in July, 1903, and used by the Commonwealth in the trial of Caleb Powers contains a general denial of the charge of conspiracy preferred against him in the matter of the Goebel assassination and also that he was in any conspiracy that had for its purpose the doing of harm to any member of the General Assembly of 1900. Taylor deposes that he did take part in the bringing of the "mountain army," arranging for the transportation as Powers states, but says he tried to stop their coming before they reached Frankfort. He says he had nothing whatever to do with retaining any of the "army" members in Frankfort after January 25, 1900, the day they arrived. He says the first information that Goebel was shot came to him, he thinks, through Leander Guffy, of Butler county, and that he did not give an order for the calling out of the soldiers for twenty or thirty minutes afterward. He says he never saw or knew Jim Howard until some time in February, 1900, after Goebel had been shot. He says Powers went to Louisville to see Judge Ball, and that for the purpose, as Powers himself states, of arranging to bring a crowd of Western Kentucky peevishness to Frankfort to present a memorial to the Legislature.

### DECISION IN I. C. CASES FEBRUARY 20

ARGUMENTS COMPLETED IN  
FAMOUS HEARING.

HERRICK REPEATS CHARGES  
AGAINST FISH.

HARRIMAN NOT DOMINANT.

Chicago, Dec. 23.—John J. Herrick, representing the Interstate Commerce Commission, concluded his argument in the Illinois Central injunction proceedings, concluding his argument with a charge against Mr. Fish, the attorney for the Union Pacific, that he was guilty of the suit on the courteous manner in which he had conducted his case and announced that he would render his decision on or about February 20.

In summing up his argument Mr. Herrick said: "We say that we are going to vote for three directors who served the company all these years. We are not going to vote for Mr. Fish, for the reasons that are stated and which are confirmed by the statements of eight of his fellow-directors as to his unfitness for the position. We say that we are going to vote for an independent man who is not connected with the Union Pacific. That is all we have threatened. Both of the companies—the Union Pacific railroad and the Illinois Central—have threatened to sue themselves on record as to that proposition."

"How is it with Mr. Fish? He does not deny that this bill is brought, as alleged in the affidavits, in pursuance of a purpose to remove his re-election not only as a director, but as president. And he does not deny that it is his intention in getting these proxies to vote them not only for his own re-election but for the election of three other persons to be named by him, unknown to this court, in place of those directors who have served all these years and who were elected and re-elected by his own vote."

Mr. Herrick denied that Mr. Harriman was dominating the policy of the Illinois Central Railroad Company. He declared that the Union Pacific Railroad was a connecting line, and said that Mr. Fish was a director in a line competing with the Illinois Central railroad.

### SHOPPING TOUR AS CURE FOR INSANITY

SIXTY WOMEN PATIENTS AL-  
LOWED TO SPEND DAY IN  
ST. LOUIS STORES.

Chicago, Dec. 23.—A dispatch to the Tribune from St. Louis, Mo., says: Shopping as a contributory means of treating insanity is in vogue at the St. Louis Insane Asylum.

Sixty women patients suffering with milder forms of mental diseases are taking this novel course of treatment in the department stores during the busy yuletide.

One party of twenty women will spend the greater part of to-day in enjoying the outing, purchasing souvenirs for their friends and forgetting for the time the discipline of the asylum. A like number will visit the stores to-morrow.

These journeys back into the world of the department stores and the activities which all women enjoy began last Thursday. Two attendants were in charge of the shoppers. Their uniforms were left behind and they abandoned as far as possible all evidences of their confinement.

Dr. Henry S. Atkins, of the asylum, said that such recreations as those afforded by a day in the stores are a valuable part of the treatment for the insane. Just as normal persons are better merry than moody, so, he says, his charges are benefited by anything that pleasantly occupies their minds while not at the same time exciting nerves.

### MUST PAY FINE AND SERVE SENTENCE

GREENE AND GAYNOR, WHO  
WERE CONVICTED WITH  
CAPT. CARTER, LOSE.

Washington, Dec. 23.—The Supreme Court of the United States today denied the petition for writs of certiorari in the case of Capt. Carter, Benjamin D. Greene and John F. Gaynor, who are under sentence to pay a fine of \$75,000 and to undergo terms of imprisonment of four years each on the charges of embezzlement and conspiracy in connection with Capt. Obediah H. Carter to defraud the United States in connection with harbor improvements at Savannah, Ga. Carter has served a term of imprisonment in these charges. Greene and Gaynor were tried by the United States District Court for the Southern District of Georgia on April 2, 1906, were found guilty on the two charges of conspiracy and embezzlement and both were sentenced on the same day, the amount of the fine imposed representing the sum which is charged to have been received by them. They appealed the case to the United States Circuit Court of Appeals for the Fifth Circuit, and that court affirmed the verdict of the trial court and presented their petition to the Supreme Court for a writ of certiorari bringing the entire case to that court for review.

### CHARGED WITH MURDER OF WOMAN IN HIS ROOM.

New York, Dec. 23.—Giuseppe Capuzzo, alias Charles Davis, was put on trial today, charged with the murder of Sophie Kober, who was found dead in his apartment July 23. In his opening statement to the jurors, the Prosecutor said he would bring forward one Eugene Poll, who would swear that Capuzzo told him in New Jersey that he had murdered Mrs. Kober, and that he had done away with another woman in the same fashion.

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Presents Many Unusual Opportunities  
In the Selection of Gifts at  
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All Reduced.

Umbrellas,  
Slippers,  
Canes,  
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House Coats,  
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Slippers,  
Umbrellas,  
Leather Goods,  
Traveling Bags,  
Stationery,  
Silverware,  
Jewelry,  
Handkerchiefs,  
Furs,  
Silk Hosiery,  
Art Needlework,  
Books.

Gifts for Children  
All Reduced.

Dolls,  
Doll Houses,  
Gloves,  
Books,  
Hobby Horses,  
Engines,  
Boys' Tool Chests,  
Express Wagons,  
Automobiles,  
Mechanical Toys,  
Blackboards,  
Blocks,  
Games.

### STEWART DRY GOODS CO.

IN CONNECTION WITH JAMES McCHERRY & CO., NEW YORK.

Store open to-night

Store open to-night

### BOTH WOUNDED

Fight Between Farmers May  
End Fatally.

OLD GRUDGE AND WHISKY  
CAUSE TROUBLE.

WELL-KNOWN BAPTIST MIN-  
ISTER DEAD.

STRICKEN AT BROTHER'S GRAVE

Madisonville, Ky., Dec. 23.—[Special.]

When one of the influences of liquor

John Hill and Watts Bone, farmers of

near the city, became involved in a

difficulty here this afternoon, which

resulted in the death of one and probably

of both.

Hill cut Bone several times in the

face, inflicting severe injuries, and little

hope is entertained for his recovery.

After being cut in several places, Bone

emptied the contents of his revolver

at Hill, three shots taking effect in the

face. Physicians declare that he can-

not survive.

The men had a misunderstanding re-

cently, and the trouble was renewed

when they met in a local saloon.

PROMINENT MINISTER DEAD.

The Rev. Mr. Hopewell Passes Away

At Madisonville.

Madisonville, Ky., Dec. 23.—[Special.]

The Rev. J. C. Hopewell, aged seventy-

two years and one of the best-known

and most popular Baptist ministers in

Western Kentucky, died at his home in

this city this afternoon, after an ill-

ness of only a few days. He was taken

ill last week while attending the funeral

of his brother, at Sturgis.

For many years the Rev. Mr. Hopewell

was pastor of the Baptist church here

and at Providence, and for the

past thirty-eight years he has been

moderator of the Little Bethel Association

of Baptists. He has preached the

Stoneham, Va., have closed down, the

reason given being lack of orders for

the Dorchester plant employed

1,300 men and the Stoneham plant 2,000.

Thus far the local coal plants have

not been affected by the scarcity of

most of the coal from the Mid-

desboro mines being sold to the rail-

roads on contract.

THREE TRAINMEN HURT.

Wreck Near Paducah Caused By

Spreading Rails.

Paducah, Ky., Dec. 23.—Three train-

men were injured, an engine was badly

wrecked and four cars were demolished

by the derailing of freight train No.

171, South-bound from Louisville, at

Tyler, a few miles out of Paducah, on

the I. C. railroad early this morning.

Passenger trains were delayed four

hours.

Spreading of the rails is thought to

have caused the wreck. The train was

pulled by engine No. 845, the biggest

type of the road, and was in charge of

Engineer McClure, fireman House and

negro brakeman, was hurled from a

car and was badly shaken up. The engine

turned over and pulled four cars into

the ditch.

Trial Stopped By Measles.

Barbourville, Ky., Dec. 23.—The trial

of Alvin Gambrell, charged with the killing

of his cousin, John Gambrell, has been

stopped as a result of an epidemic

of measles among the jurors in the case.

It is not known when the trial can be

resumed. Four other Gambrells, all

brothers, are awaiting trial on the same

charge. The killing of John Gambrell

occurred on Stinking creek last Sep-

tember.



























